



PATENT

Attorney Docket No. 04173-0348

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Hideaki FUKUZAWA et al.

Serial No.: 08/940,020

Filed: September 29, 1997

For: HARD MAGNETIC FILM
STRUCTURAL BODY,
MAGNETORESISTANCE EFFECT
DEVICE THEREOF, MAGNETIC HEAD,
MAGNETIC RECORDING/
REPRODUCING HEAD THEREOF,
AND MAGNETIC RECORD MEDIUM
THEREOF, AND MAGNETIC
STORING APPARATUS THEREOF

Group Art Unit: 2754

Examiner: D. Davis

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Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

RESPONSE TO ELECTION REQUIREMENT

In a restriction requirement dated August 28, 1998, the Examiner required
election under 35 U.S.C. § 121 of one of the following species:

- Species I: Figure 1
- Species II: Figure 2
- Species III: Figure 3
- Species IV: Figures 4A and 4B
- Species V: Figures 5A and 5B
- Species VI: Figures 28 and 29
- Species VII: Figures 30-32
- Species VIII: Figure 33
- Species IX: Figure 34
- Species X: Figure 35

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Applicants provisionally elect to prosecute Species VII (Figures 30-32). Claims 47 and 48 read on the subject matter.

Applicant respectfully requests reconsideration of the original grouping of species. Species VI (Figures 28-29) shows subject matter which should be grouped together with Species VII. Specifically, Figure 30 shows the structure of an abutted junction type magnetic recording/reproducing head. As disclosed on page 51, lines 10-24, the magnetoresistance effect head according to this embodiment includes components shown in Figure 28. Further, claims 47 and 48 which correspond to the embodiment of Figure 30 recite a magnetoresistance effect device as shown in Figure 28. This magnetoresistance effect device is also recited in claims 21, 27 and 38.

Applicant, therefore, identifies independent claim 21 and its dependent claims 22-26, independent claim 27 and its dependent claims 28-37, independent claim 38 and its dependent claims 39-46, and independent claim 47 and its dependent claim 48 as being consonant with the species as shown in Figures 28-32.

Applicant therefore, respectfully requests the Examiner to group Species VI and VII together and examine claims 21-48.

To the extent any extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this response, such extension is hereby respectfully requested. If there are any fees due under 37 C.F.R. §§ 1.16 or 1.17 which are not enclosed herewith, including any fees required for an extension of time under 37 C.F.R. § 1.136, please charge such

fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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GARRETT & DUNNER, L.L.P.

By: 

Richard V. Burgujian
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Dated: September 28, 1998

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